

BAR CONDEMNS GOVERNOR'S ACT

Regrets Appointment of Judge Made Without Its Advice.

ALSO REGRETS ACTION OF MAYOR

Many Lawyers Sign Resolutions Setting Forth Position of Bar on Controversy Involving Appointment of Richardson as Judge of Hustings Court.

In a series of carefully worded and conservative resolutions, "regret" is expressed by a large number of members of the bar of Richmond at the action of Governor Mann in appointing a judge for the Hustings Court without awaiting the expression of the wishes of the bar of the city and "regret" is also expressed at the action of Mayor D. C. Richardson in agreeing to accept the appointment under such circumstances.

Mayor Richardson left the city on Saturday for Denver, Col., to attend a meeting of the Grand Lodge, Knights of Pythias, where he had an engagement of two years, standing to deliver an address. It is not known, therefore, what action, if any, he will take in view of the attitude of the bar of the city. Governor Mann has not yet taken the commission to the Mayor as judge of the Hustings Court and from the time it is issued the appointment has thirty days in which to qualify. Before leaving Richmond Mayor Richardson had expressed the desire to continue in his present office until the incoming Council takes office on September 1, placing the election of his successor in the hands of the new reduced Council.

Lawyers Sign Protest.
President P. H. C. Cabell, of the City Bar Association, who gave out the statement of the attitude of the bar of the city in view of the action of the Governor and Mayor, stated that the following paper had been circulated during the past few days among members of the local bar, receiving the endorsement of the members whose names are signed to it. More than thirty well-known attorneys were found to be out of the city as is customary at this season of the year, and it is believed that many of these, together with other attorneys who have not yet returned, will sign it when they return. The original copy of the signatures, is in the office of President Cabell, and when fully signed will be published in the various law journals, the members of the bar, while approving the plan of the bar in making recommendations to the Governor in the matter of appointing judges, have preferred for personal reasons not to sign this paper.

System Has Worked Well.
President Cabell pointed out that the term of nominating judges by a majority of the bar of the city was about twenty-five years old, that under it Judge W. L. Leake, Judge Grinnam and Mr. Morgan had been nominated for Judge of the Circuit Court, Judge Minor, Judge Ingram and Judge Grump for the Law and Equity Court, Judge Grump and Judge Scott for the City Circuit Court, and Justice Turpin for the Justice Court. So far as there being any politics in such nominations, it was pointed out by President Cabell that in three instances—that of Judge Leake, of Ashland, Judge Minor, of Henrico County, and Judge Ingram, of Manchester—the bar had nominated presidents in order to get the men they believed to be best fitted for the position.

Text of Statement.
The statement issued by President Cabell follows in full, with the signatures attached up to last night:
The undersigned members of the bar of Richmond can not ignore the late action of the Governor in the appointment to fill the vacancy in the judgeship of the Hustings Court, although we make no claim whatever to a legal right to be consulted in such action. In fact, a late meeting of the bar of the city, a resolution was passed declaring that this bar recognizes that the constitutional provision for such vacancies is placed in the Governor or this State.

It is a fact that it has been a time-honored custom for many years, that the bar of this city should, whenever there is a vacancy in the judgeship of this city, meet, and by the majority vote of the bar, determine what lawyer should be recommended to the Governor to fill such vacancy. It is in session, to fill such vacancy.

Not only has this been the custom with the bar, but never in any instance, until within the last few days has such a recommendation been ignored either by a Governor or by the Legislature. And doubtless the Legislature, when the preceding Governor, had as high a regard for the constitutional duty in regard to such action as the present Governor. It would be invidious to think otherwise.

Such has been the recognition of the custom. It only remains to determine the wisdom of such a custom. While there are many members of the legal profession who believe that the judges should be elected by the people, the fact is that under the present Constitution of the State, judges must be elected by the Legislature. If in session, an appointed by the Governor if a vacancy occurs while the Legislature is not in session.

It cannot be claimed that either the Legislature as a body or the Governor of the State can be as familiar with the qualifications of the candidates from any locality as are the members of the bar of that locality. Recognizing that fact, the previous Governors, having a high sense of constitutional duty, to recognize such a custom. In fact, they have always regarded such a recommendation as a fair and wise assistance.

ASKS FOR EASIER ADMISSION TO BAR

Richmond Attorney Believes Examinations Now Are Too Difficult.

NOT FAIR TEST OF LEGAL ABILITY

Archer W. Patterson Doubts if He or Majority of Members of Bar Association Could Have Passed Recent Examination at Roanoke—His Resolution Referred.

[Special to The Times-Dispatch.]
Hampton, Va., August 6.—The introduction of a resolution suggesting important changes in the examination for admission to the bar and lightly criticizing the Virginia Board of Law Examiners for the severe examination exacted of the young men who took the last examination in Roanoke, by Archer W. Patterson, of Richmond, featured the opening session of the twenty-fourth annual convention of the Virginia Bar Association in Hotel Chamberlin, Old Point, this morning. The resolution of Mr. Patterson, which was referred to the committee on legal education and admission to the bar for a report as to the best way of conducting the examinations to be made to the next annual session of the association. Several of the prominent lawyers thought the Patterson resolution a little too strong, as it was believed that it carried a criticism of the law examiners. It was suggested that the question was one to be carefully handled and worked out, and for that reason the motion to refer the proposition to the committee was adopted without a dissenting voice.

The Patterson Resolution.
Mr. Patterson, who took the convention floor to respond to the request for a report from the committee on legal education and admission to the bar, said that he had prepared a resolution, which he intended presenting to the association. He declared that the matter had recently been commented upon in the public press and went two editorially from leading Virginia papers to the secretary's desk with the resolution. The resolution complete is as follows:

"Resolved, That the recent bar examination given at Roanoke, Va., was more difficult than it should have been and did not constitute a fair test of the fitness of the applicants for admission to the bar.

"Resolved, further, That the rule which requires an unsuccessful applicant at the examination in June to wait twelve months before being allowed another trial is unreasonable and should be abolished.

"Resolved, That the committee on legal education and admission to the bar be instructed to confer with the Board of Law Examiners and with the Court of Appeals in order to bring about a more reasonable and equitable system of examinations, and endeavor, if possible, to correct the same as to the future."

Speaking to the resolution with much force, Mr. Patterson declared that it was a sad comment upon the law schools of Virginia to say that a large percentage of their graduates were unable to pass the Virginia bar examination. He did not believe he could have passed the Roanoke examination, and doubted whether a majority of the members of the association could have done so. Mr. Patterson said that when he went to the bar to begin his practice the "bars were too low down," but now the bars at this time are entirely too high. He disclaimed any intention of criticizing or reflecting on the members of the Bar of Law Examiners, but could not bring himself to say that the examination at Roanoke was a fair test of the legal ability of the unsuccessful young applicants.

Judge A. A. Philgar, of Palaski; Alfred B. Thom, of Washington; Judge George L. Christian, of Richmond; and other speakers, against the action taken by the resolution, and finally a resolution, offered by Judge Christian, referring the entire subject back to the committee on admission to the bar for a report next year, was adopted.

What Reduces Time.
George Boyd of Richmond, offered an independent resolution, which he said did not criticize any one, endeavoring to place the association on record as favoring the abolition of the twelve months' requirement for unsuccessful applicants to take the law examination over. Mr. Boyd's resolution, which stated that "this association thinks it expedient to have the time changed from twelve to at least six months." This, too, went to the committee on legal education and admission to the bar.

The twenty-fourth annual convention of the Virginia Bar Association was opened at 10:30 o'clock this morning in the immense ballroom of the Chamberlin. There was disappointment in the attendance of attorneys, but it was said that the attendance will be increased by to-morrow, when the active business of the association will be taken up. A. H. Long of Lynchburg, chairman of the executive committee, called the convention to order and then introduced Hon. J. F. Bullitt, of Big Stone Gap, the president of the Bar Association. Mr. Bullitt delivered his annual address. Mr. Bullitt discussed trusts and the best way of handling them. He believes that "robbery is personal," meaning that the boards of directors of great corporations are not guilty of the corrupt methods used, but that the man in active management of them is the guilty one. Mr. Bullitt's address was received with enthusiasm by the members.

Secretary-Treasurer John B. Minor, of Richmond, reported a cash balance in the treasury on August 1 of \$1,028.50. The executive committee, through Chairman Long, reported seven deaths in the membership of the association during the past year. The committee commended Hon. William A. Glasgow, of Philadelphia, for the splendid assistance rendered the Virginia Bar Association in several important matters.

ROOSEVELT MAKES HIS "CONFESSION OF FAITH" AND SOUNDS KEYNOTE FOR PROGRESSIVE PARTY

Former President Strikes Into New Political Ground.

EXPECTS SUCCESS TO COME FINALLY

Failure May Attend This Campaign, but He Believes His Policies Will Win in the End—Outlines Plan of Battle to His Followers.

Roosevelt's Political Creed

"The first charge upon the industrial statesmanship of the day is to prevent human waste."

"The two old parties are husks with no real soul within either, divided on artificial lines, boss-ridden and privilege-controlled, each a jumble of incongruous elements and neither daring to speak out wisely and fearlessly what should be said on the vital issues of the day."

"The American people and not the courts are to determine their own fundamental policies."

"The public servant, when he cannot conscientiously carry out the wishes of the people, shall at their desire leave his office and not misrepresent them in office."

"A national industrial commission created, which should have complete power to regulate and control all the great industrial concerns engaged in interstate business."

"We should undertake the complete development and control of the Mississippi as a national work, just as we have undertaken the work of building the Panama Canal."

"The Panama Canal must be fortified. Panama Canal tolls on deep-water commerce should be uniform to all nations, including ourselves; American canalists vessels should pass through the canal free."

Chicago, August 6.—Theodore Roosevelt made his "confession of faith" today to the National Progressive Convention. The former President struck out boldly into new ground, advocating measures which he said frankly would be denounced as either socialism or anarchy. The delegates listened to his speech with the understanding that they must either adopt a platform substantially in consonance with his views or look elsewhere for a nominee for the presidency.

Recall of judicial decisions, as first advocated by Colonel Roosevelt in the spring campaign, and for which he was subjected to wide criticism, is again urged. Colonel Roosevelt now advocates its extension to apply to Federal as well as State courts. He favors the reorganization of the judiciary to make easier of amendment both the national and State constitutions, especially with the view of prompt action on certain judicial decisions.

Use of the government to assist workmen to become part owners of the business in which they are employed is advocated.

The government system should be shaped so that "the public servant, when he cannot conscientiously carry out the wishes of the people, shall at their desire leave his office and not misrepresent them in office."

Colonel Roosevelt did not suggest the method by which a woman should be admitted to the bar, and there was much speculation as to whether he had in mind a fundamental change in the American system of government. In some quarters it was interpreted as a declaration in favor of extension of the recall to include legislative, executive and judicial officers of the national government, from the President down.

His Plan of Battle.
Mr. Roosevelt's speech strikes a keynote for his followers and supporters in the new party. It lays down the plan of battle to be waged by the National Progressive party. He discusses those principles under twelve subdivisions, namely, The Helplessness of the Old Parties, The Right of the People to Rule, The Courts and the People, Constructive Control of the Trusts, Rights of the Wage-Worker, The Farmer, The Tariff, The High Cost of Living, Currency, Conservation, Alaska and International Affairs.

"The two old parties," he said, "are husks, with no real soul within either, divided on artificial lines, boss-ridden and privilege-controlled, each a jumble of incongruous elements, and neither daring to speak out wisely and fearlessly what should be said on the vital issues of the day." As opposed to this incongruity and insincerity of action, he asserted that the National Progressive platform will be "a contract with the people," with definite and concrete proposals, carried out if the people ratify the contract on election day as exactly and honestly "as if it were exactly enforceable under the law."

No Help From the Old Party Machines.
Neither the Republican nor the Democratic platforms or managers show any adequate recognition of the mighty fact "that we are now in the midst of a great economic evolution." The ir- resistible movement for economic change and improvement must be guided.

Without dissenting voice, Progressives Throw Out Their Colored Brothers From Dixie.

Follow Colonel's Views

Again Roosevelt Gives Solution of Problem Which Wrecked Republican Party.

SOME LEADING "BULL MOOSERS"



Ex-Senator William E. Fann, of Pennsylvania.



John M. Parker, of New Orleans.



Left to right: M. Lissner, California delegate, and Governor Hiram Johnson, of California.



John M. Parker, of New Orleans.

SOUTHERN NEGRO QUESTION DISPOSED OF BY CONVENTION

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Philadelphia, Pa., August 6.—Colonel Theodore Roosevelt, of the Sixth Regiment, National Guards of Pennsylvania, who was a prominent lawyer and socialist man of Westchester, committed suicide to-night on a train on which he was returning from New York to his home town to face charges of appropriating bonds belonging to a trust estate.

Sitting beside the constable who accompanied him, as the train approached West Philadelphia station, he leaned over the seat in front where he had placed a dress suit case. Pretending to be sleeping, he quietly opened the baggage and drew out a silver-mounted revolver which had been presented to him by officers of his regiment. Before the constable was aware of what was going on, he had placed the weapon in his mouth and shot himself through the head. A physician said that death had been instantaneous.

Colonel Cornwell was a partner in the law business founded by his father, Captain R. T. Cornwell, which represented a number of large estates.

While the regiment which he commanded was in camp, one of his clerks had been killed by a bullet from another executive who was named for the estate which he held in trust. Investigation on the part of the new executor, it is alleged, led to the discovery that a number of bonds belonging to the estate were missing.

Colonel Cornwell failed to return home when the regiment broke camp a week ago, was taken into custody last night in New York, but was released to-day on his promise to return home with the constable who had a warrant for his arrest.

He indicated that there was something wrong with his accounts, and at the beginning of the return home he seemed in good spirits, but as he neared his destination became more morose, and finally ended his life.

News of the tragedy was telegraphed to Westchester, where preparations had been made to give Colonel Cornwell a hearing to-night.

Colonel Cornwell was charged in a Westchester warrant with the larceny of three bonds valued at \$1,000 each from the estate of Alice P. Harding, of Westchester, but from the first the colonel protested his innocence.

Although it had been estimated that the amount of trust funds Colonel Cornwell had been called upon to account for exceeds \$100,000, those engaged in investigating his affairs have thus far made no detailed statement. He left no message showing the extent of his shortages.

A letter addressed to his wife while on the train, with \$225, to be given to her by the constable, was opened late tonight and found to contain only the words "Good-night, dear." It was signed "Colonel."

Clark Nominated Again.
Montgomery, Ala., August 6.—Speaker Champ Clark was re-nominated for Congress in this, the Ninth District of Missouri, at the primaries to-day by the voters of the district. This makes nine times the Democrats of this district have nominated the Speaker.

Colonel Wins in Kansas.
Topeka, Kan., August 6.—Based on returns up to 10:30 o'clock, Arthur Capper, publisher of the Topeka Capital, has defeated Frank Ryan, of Eastern Worth, for the Republican nomination for Governor, and George H. Hodges, Democratic candidate, is leading by two Democratic opponents. The fight for United States Senator between Governor Stubbs and Senator Curtis is close.

Scattered returns from one-fifth of the counties of the State indicate that the Roosevelt presidential electors were victorious in today's primaries. Followers of President Taft admitted that they seemed to be beaten. Congressman P. P. Campbell probably lost the nomination for his seat in Congress to W. M. Gray, a Progressive.

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Chicago, Ill., August 6.—When told he had carried the Kansas primaries, Colonel Roosevelt to-night said: "I am very much pleased. This is an interesting commentary on how Kansas feels about the fraudulent nomination."

TRIES TO HANG HIMSELF

"Big Bob" Snipes Would Die Rather Than Come Back to North Carolina.

Los Angeles, Cal., August 6.—R. C. Snipes, alias "Big Bob," who gave himself up last Friday, saying he was wanted in Burke County, North Carolina, for murder committed eleven years ago, tried to kill himself by cutting the veins in his wrist. He was found by the guards and overpowered.

The police have received word from Sheriff Perry, of Burke County, corroborating Snipes's story.

ACCUSED OFFICER COMMITS SUICIDE

Colonel Cornwell, Alleged Defaulter, Shoots Himself While En Route Home.

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The police have received word from Sheriff Perry, of Burke County, corroborating Snipes's story.

ROOSEVELT HAPPY OVER RECEPTION

Also Jubilant Over Fact That He Will Be Nominated To-Day.

Chicago, August 6.—Colonel Theodore Roosevelt was in happy frame of mind to-night; happy, he said, over the reception he received at the National Progressive Convention to-day, and happy over the fact that to-morrow he will be nominated for the presidency.

"I understand," he said to-night, "that I am a neck ahead."

Colonel Roosevelt will go to the convention again to-morrow, after the nominations have been made, and in a brief speech will accept the honor. This simple ceremony probably will do away with the necessity for a formal notification ceremony.

There seemed to be no change to-night in the plan to nominate Governor Hiram W. Johnson, of California, as the Colonel's running mate. A vice-presidential boom for Judge Ben R. Lindsey, of Colorado, gained some headway during the day, but was practically abandoned to-night.

No Southern Democrat aligned with the new party seemed to stand out sufficiently in the minds of the leaders to effect the insistent demand among the delegates for Governor Johnson.

So far as could be learned there was no change to-night in the plan to continue former Senator Beveridge, of Indiana, as permanent chairman of the convention.

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Second Day's Session Is Given Over to the Colonel.

DEMONSTRATION REIGNS ONE HOUR

Coliseum Holds One of Largest Crowds in All Its Convention History, and Fire Marshal Is Compelled to Close Its Doors to the Public.

Chicago, Ill., August 6.—The second day's session of the National Progressive Convention was given almost entirely to Colonel Theodore Roosevelt, who, in addition to delivering his long-awaited "Confession of Faith," answered at some length and with a good deal of earnestness a question as to his attitude on the negro question.

The delegates cheered Colonel Roosevelt for more than an hour, when he appeared suddenly and rather dramatically upon the platform of the Coliseum. The rafters fairly rang with the noise of the demonstration. While awaiting the Colonel's arrival, most of the delegates had joined in an impromptu song that they would follow him wherever he should choose to lead. This was the spirit of the reception accorded the former President when he reached the convention hall, and it was the spirit with which his advanced ideas of progressiveness were received as fast as they were uttered.

The session, however, was not without its thrill. A photographic flash-light explosion set fire to one of the smoke retaining bags hung among the decorations above the crowded balcony, and for a time there was nervousness which it was feared might lead to a panic.

Temporary Chairman Beveridge and Colonel Roosevelt called to everybody to remain quiet, and the band started to play, as two firemen climbed up into the steel girders of the roof, snatched the burning bag back from its place before the flames reached the inflammable decorations hanging along the entire gallery and extinguished the fire. This act was followed by distinct relief and a round of cheers.

Great Crowd Present.
The doors of the convention hall had been thrown open to the public after Colonel Roosevelt reached the Coliseum, and the big auditorium held one of its greatest crowds.

The rush for places was so great that the fire marshal soon ordered the doors closed again.

There were thrills, too, when Colonel Roosevelt was interrupted several times with questions. The same speaker in the gallery who yesterday fired the query at former Senator Beveridge, demanded to know of the Colonel "What about the liquor traffic?" The query came at the close of the lengthy explanation of the Colonel's attitude on the negro question, and Mr. Roosevelt received it with distinct impatience.

As the delegates were yelling "What up and at him now," Colonel Roosevelt waved one hand toward the man, and said: "Oh, go to a primary school, or something." Then he added: "Let me get along with my speech."

There were cheers and cries of "You're all right!"

"And please," added the Colonel, "let this question be a monologue as possible."

When the Colonel had concluded the convention proceeded at once to adopt the report of the committee on credentials, and also a rule requiring that all resolutions submitted from the floor be sent to the resolutions committee without debate. Permanent organization was postponed until to-morrow, when the platform also is to be adopted, and Colonel Roosevelt and a running mate nominated for President and Vice-President on the new third party ticket.

Delegates Slow in Gathering.
Despite the fact that Colonel Roosevelt was expected to reach the Convention Hall soon after noon, delegates to the National Progressive gathering were slow again to-day in reaching their seats. At ten minutes to twelve there were not more than 250 delegates on the floor. The galleries also were slow in filling up.

A great crowd of spectators and delegates had remained at the headquarters hotel eager to see the Colonel start triumphantly for the convention or to accompany him on the trip. The New York delegation marched in at 11:55 A. M. with a brass band in the lead playing the inevitable convention tune, "Everybody's Doing It." Several other bands were reported on their way to the Coliseum, and it was apparent that when Colonel Roosevelt arrived to deliver his "Confession of Faith" he would get a noisy greeting.

As 12 o'clock approached the delegates began to pour into the hall from all sides. The Colorado delegation had formed an impromptu parade downtown and had marched to the convention. Four or five bands came with them, and for a time the air was fairly blue with conflicting tunes.

Women Centre of Interest.
Women delegates were a centre of interest in the convention to-day. Many of their sisters in the suffrage movement gathered outside the Coliseum distributing tracts and emblems of the suffragette cause.

Temporary Chairman Beveridge reached the stage shortly after 11 o'clock. Ten minutes later the delegates' sections were completely filled.

As on yesterday, the party representatives filled in the period of waiting with songs and party yells. Occasionally there came the long, low "Mo-o-o" of the bull moose. The Colorado delegation appeared to-day with a blue banner reading "Colorado is for Roosevelt."

The women delegates in various State organizations stood up on chairs to sing.

(Continued on Second Page.)